

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Monster Daddy, LLC,)
Plaintiff,) C.A. No. 6:06-293-HMH
vs.) **OPINION & ORDER**
Monster Cable Products, Inc.,)
Defendant.)

This matter is before the court on Monster Cable Products, Inc.’s (“Monster Cable”) motion to enforce settlement and Monster Daddy, LLC’s (“Monster Daddy”) motion to dismiss settlement agreement, both filed on July 8, 2008. Monster Daddy’s motion to dismiss settlement agreement was filed pro se by James Carter. However, it is well established that a limited liability company is an artificial entity that cannot appear pro se and must be represented by counsel in court. See, e.g., Rowland v. Cal. Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 201-02 (1993) (“It has been the law for the better part of two centuries . . . that a corporation may appear in the federal courts only through licensed counsel. . . . [T]he rationale for that rule applies equally to all artificial entities.” (citations omitted)); Gilley v. Shoffner, 345 F. Supp. 2d 563, 566-67 (M.D.N.C. 2004) (holding that a limited liability company could not appear in federal court pro se). Therefore, the court cannot consider Monster Daddy’s pro se motion to dismiss settlement either as a motion or a response to Monster Cable’s motion to enforce settlement, and the motion is stricken. To the extent Monster Daddy wishes to file additional motions or respond to Monster Cable’s motion to enforce settlement, it shall retain duly licensed legal counsel and have such counsel appear to file such motions or otherwise

respond to Monster Cable's motion. In order to allow time for Monster Daddy to obtain counsel, the court gives Monster Daddy thirty (30) days from the date of this order to respond to Monster Cable's motion to enforce settlement.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
July 11, 2008